



# What to Expect

# Maternity Guide for Women Police Officers

The Police Federation of England & Wales is the representative body for all Constables, Sergeants and Inspector ranks in the Police Forces of England and Wales. This booklet sets out what women police officers can expect to happen from when they get pregnant to up to a year after their baby's birth. It is not a full statement of the legal position but is a short summary for the benefit of Police Federation members in England and Wales.



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## CONGRATULATIONS

Your pregnancy is great news and you will need to make some life changing decisions over the next few months and years as your family grows. There are plenty of people who will be able to offer you advice and support during this time, but you need to be aware that **women police officers do not have exactly the same rights at work as women employees.**

You need to be careful to ensure that you get the right information about your entitlements at this time. The Police Federation of England and Wales has produced this booklet so that you can be clear about what to expect during your pregnancy, your maternity leave and on your return to work. There are also a range of entitlements available to your partner at this time. If your partner is a serving police officer he or she does not have exactly the same rights at work as other employees. The Police Federation also produces guidance that covers the entitlements of partners who are serving police officers during your pregnancy and maternity.

You or your partner may want to return to work on reduced and/or flexible hours. Again, there are different eligibility requirements for police officers in comparison to employees. The Police Federation of England and Wales has produced guidance for officers in respect of flexible working which is available from your Federation office or from the Police Federation website [www.polfed.org](http://www.polfed.org)

**This booklet provides general information for women police officers about their baby's development, their health care needs and their rights as a working woman police officer.**

Your rights to police occupational maternity leave and pay are set out in Police Regulations and Determinations 2003. Your rights to statutory maternity pay are contained in employment legislation.

It is the Force's responsibility to give you accurate information about your pay and other benefits you will have during your maternity leave. The Force is also responsible for the health, safety and welfare of you and your child and it must have gone through a formal risk assessment process and taken all known relevant medical advice into account.

Each woman's pregnancy is different, and the way it impacts upon her work and her workplace will be different. Some women may have no problems and wish to continue working for as long as possible but others may have had earlier problems or be unwell during their pregnancy. Each case should be treated individually and sympathetically through the risk assessment process.



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## HEALTH AND SAFETY

Your Force should have a generic risk assessment which sets out the potential risks in the workplace for women officers of childbearing age. You need to consider the implications of this if you are planning to have a baby or think you might be pregnant.

Once you tell the Force that you are pregnant (or if you have returned to work after having a baby in the last 6 months or if you are breastfeeding) they need to carry out regular specific risk assessments on you. The Force must provide you with the risk assessment and you should discuss it and the requirements of your role with your medical advisors. You should feed into the Force any medical advice you receive from your medical advisors so that they can take it into account in subsequent risk assessments.

### **Your risk assessment must be regularly reviewed; for example, each time you have had an ante-natal care appointment**

If any risks are identified in the risk assessment, the Force must take any reasonable steps to remove or reduce the risks, by

- temporarily adjusting your working conditions and/or hours of work; (e.g. providing additional rest breaks, allowing you to come in later), or if it is not reasonable to do so or would not avoid the risk then
- providing you with suitable alternative work (at the same rate of pay); or if that is not feasible,
- sending you home on paid leave for as long as necessary to protect your health and safety and that of your child (this is known as maternity suspension or “maternity safety leave”).

These adjustments should not result in any loss of pay.

Forces should not be risk averse. Many women can and do work productively throughout their pregnancy. The Health and Safety legislation does not require that all risks are removed, just that they are reduced to an acceptable level. A woman may still work nights or shifts, unless the risk assessment has concluded otherwise.

In the final analysis, the Force is responsible for the health, safety and welfare of you and your child and it must have gone through a formal risk assessment process and taken all known relevant medical advice into account.

### **Sickness Absence**

The risk assessment process should pick up any evidence of whether your pregnancy is having an adverse impact on your ability to perform your role, and your work should be adjusted accordingly. Signing you off sick from work may not be in your best interests, and in some circumstances could adversely affect your sick pay and/or maternity benefits.



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# MATERNITY LEAVE

- Women officers are entitled to police occupational maternity leave (and police maternity pay if they meet the eligibility rules).
- Women officers are not entitled to statutory maternity leave (but they are entitled to statutory maternity pay if they meet the eligibility rules).

Police occupational maternity leave can be taken for a period of up to 15 months in an 18 month period from 6 months before the expected date of birth until 12 months after the birth. It must end 15 months after it started, or 12 months after the date of birth (whichever is the sooner). It can be taken in one or more blocks, before or after childbirth, providing the notification requirements are met.

Police occupational maternity leave starts on the day you notify the Force that you want it to start and no later than the expected date of birth. It will end on the date you give that you intend to return to work (giving at least 21 days notice) and no later than the last day of the maternity period (up to a maximum of 12 months after the birth).



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## MATERNITY PAY

- Women officers are entitled to police occupational maternity pay (if they meet the eligibility rules).
- Women officers are also entitled to statutory maternity pay (if they meet the eligibility rules).
- If the woman officer does not have the qualifying service for either police occupational maternity pay or statutory maternity pay she may be eligible for Maternity Allowance or another benefit paid by the Benefits Agency

**Police Occupational Maternity Pay** is paid to all women officers who:

- Have 63 weeks continuous service as a police officer (in any Force) before their expected week of childbirth and
- Remain pregnant or have given birth 15 weeks before the expected week of childbirth (EWC).

All women officers who satisfy the eligibility criteria above are entitled to receive 18 weeks police paid maternity leave. Police paid maternity leave is full pay for the first 18 weeks of the officer's maternity leave; or, she can elect to receive full pay for the first 13 weeks then half pay in the ten weeks from the 14th to the 23rd week of her maternity leave.

**Statutory Maternity Pay (SMP)** is paid to all women officers who:

- have 26 weeks continuous service as a police officer in her Force at the qualifying week (15 weeks before the EWC),
- are pregnant at the 11th week before the EWC or have already given birth,
- have earned the lower earnings limit for the payment of National Insurance contributions for 8 weeks up to and including the qualifying week,
- have given at least 28 days notice to her Chief Officer that she intends to stop work and does in fact stop work, and
- have produced medical evidence of pregnancy, (usually on Form MAT B1)



SMP is payable for 39 weeks. The first 6 weeks are at the “higher rate” which is 90% of the woman’s average pay received during the period 8 weeks before the qualifying week (15 weeks before the EWC). This is followed by 33 weeks at the “lower rate”. The lower rate of SMP changes each year in April.

SMP can be payable as early as the 11th week before the EWC. It must start no later than the day following the baby’s birth. It is possible to elect the week that SMP starts between these dates, but it starts automatically if a woman is absent for a pregnancy-related reason (such as pregnancy related sickness absence or police occupational maternity leave) after the beginning of the 4th week before the EWC. If the officer has notified that she wishes her maternity leave to start after this point, her SMP (but not her police maternity leave or pay), will start. Police Occupational Maternity Leave and Pay will start on the date which was notified as the start of police maternity leave.

**In the weeks where a woman officer would receive both SMP and police maternity pay only the higher payment is made**, except when a woman officer elects to receive half pay in the ten weeks from the 14th to the 23rd week of her maternity leave instead of full pay throughout the 18 weeks. In these circumstances she will receive half pay **and** half SMP for these ten weeks.

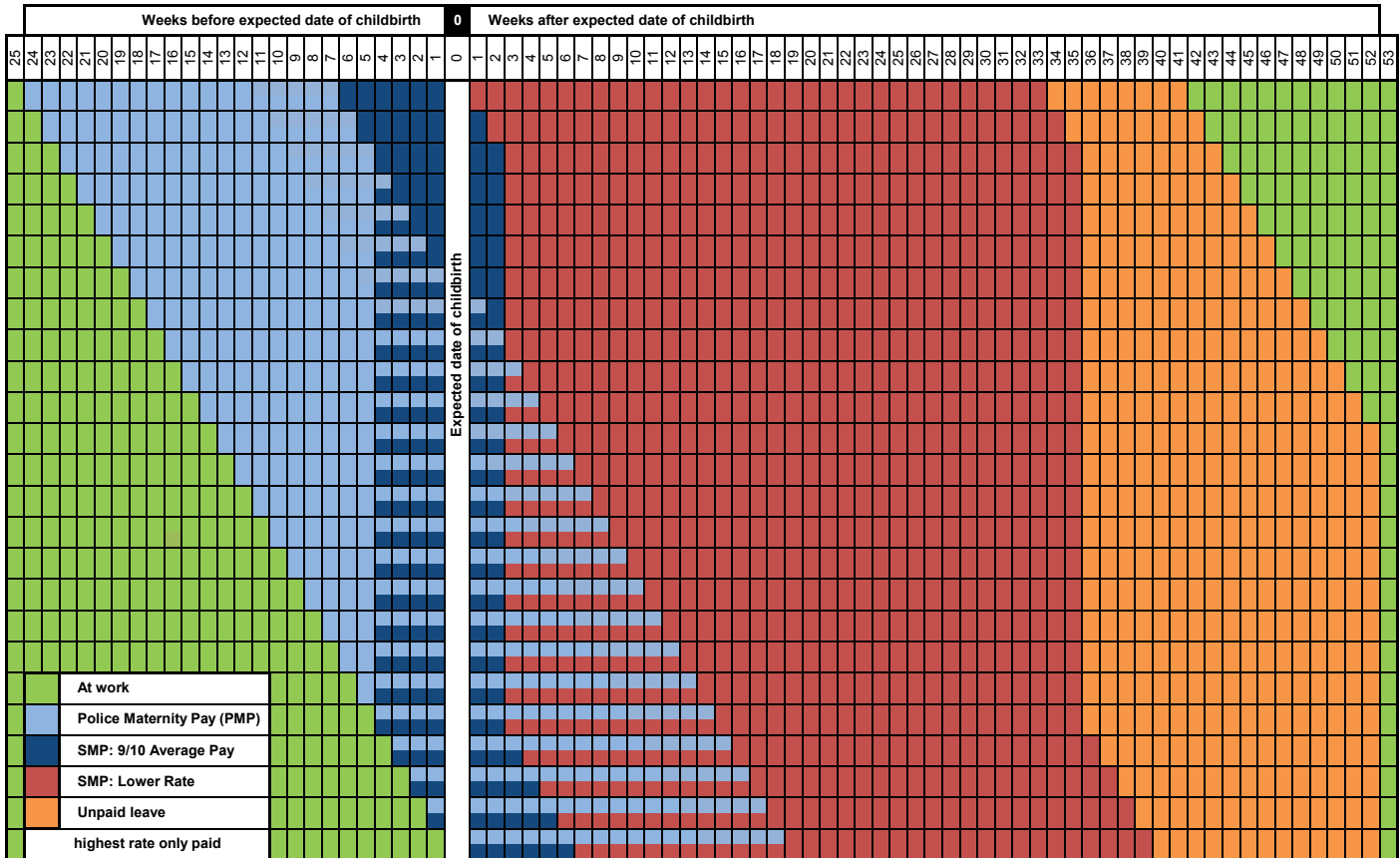
### **Police Maternity Pay Chart**

The maternity pay chart on the following page gives an indication of the amount of pay a woman officer is entitled to in any week she is on maternity leave. It is the Force’s responsibility to give you accurate information about your pay and other benefits you will have during your maternity leave. **The chart gives general guidance only.** It does not represent all possible circumstances.

In order to identify the start of the woman’s maternity leave it is necessary to count back along the top line from Week 0 – the expected week of childbirth (EWC) – to the week that the woman wishes to start her maternity leave; move down that column to the first square coloured pale blue at the base of the column and then move across that line horizontally. Each coloured square on that line indicates the pay for a week. In the weeks where there are two colours only the higher payment is made.

# POLICE MATERNITY PAY CHART

## POLICE MATERNITY PAY CHART (April 2012)



## What to Expect: The First Trimester – Weeks 1 to 12

You and Your Baby	You and Your Health Care Needs	You and Your Work
<p>You won't know for certain that you are pregnant until you have had a pregnancy test, so you may be 6 or more weeks into the first trimester before you know definitely that you are pregnant.</p> <p>You should give up alcohol and smoking as soon as you think you are pregnant. If you are troubled with morning sickness you could try sucking ice cubes or have food or drinks containing ginger – such as ginger biscuits.</p> <p>You may feel tired and emotional as your body adjusts to your pregnancy.</p>	<p>You can get a free pregnancy test at your GP or a clinic or you can buy a do-it-yourself kit from a chemist.</p> <p>Once you know you are pregnant you will need to check in with your GP to make sure you get all your entitlements and care. The earlier you book, the better.</p> <p>You will be asked about your and your partner's family history, health and work, to see if there are any special risks to you or your baby. Blood and urine tests will be taken to check for any problems or concerns about you or your baby.</p> <p>You are entitled to free prescriptions and dental treatment throughout your pregnancy and for 12 months after you have given birth.</p>	<p>You should consider carefully when to tell the Force that you are pregnant.</p> <p>Although you don't have to tell them until 28 days before you go on maternity leave, the earlier you tell the Force the better as they have a duty to undertake continuous specific risk assessments on you, your baby and your work.</p> <p>You are entitled to reasonable paid time off work for antenatal appointments, including time needed to travel to your clinic or GP, without loss of pay.</p> <p>You may need a letter from your GP or midwife, saying that these classes are part of your antenatal care and you may need to show the Force your appointment card after the first one.</p>

## What to Expect: The Second Trimester – Weeks 13 to 28

You and Your Baby	You and Your Health Care Needs	You and Your Work
<p>At about 16-22 weeks you may feel your baby move for the first time.</p> <p>When you have your first scan make sure you ask for a copy of the ultrasound image. Some hospitals may charge for this. Don't laminate it as it will be printed on heat sensitive paper.</p>	<p>You may be offered an amniocentesis test from 14 weeks if you are considered to be at higher risk of genetic disorders.</p> <p>You may be offered an alpha-feto protein (AFP) test at about 15-20 weeks. This is a blood test to check for spina bifida and other conditions.</p> <p>You may be offered an ultrasound scan from 18-20 weeks to check for some conditions. Ultrasound scans use sound waves to create an image of the baby in the womb.</p>	<p>The earliest you can start your police maternity leave is week 16 (24 weeks before the expected date of your baby's birth)</p> <p>However, it is not until week 21 that your doctor or midwife will give you a form, MAT B1 giving the expected date of your baby's birth. This is known as your Expected Week of Confinement or EWC. You will need to give this form to the Force.</p> <p>Week 25 (15 weeks before your EWC) is known as the "qualifying week". From this point your pregnancy is considered "viable" and you become eligible for maternity leave and pay even if you lose the baby.</p> <p>Your average pay in the eight weeks before the qualifying week (between weeks 18 and 25) will form the basis of the SMP you receive at the higher rate. (You may not receive this if you get police occupational pay at the same time).</p>

## What to Expect: The Third Trimester – Weeks 29 - 40

<b>You and Your Baby</b>	<b>You and Your Health Care Needs</b>	<b>You and Your Work</b>
<p>Congratulations - you're almost there. Most pregnancies last between 38 and 42 weeks, and you won't know for certain until he or she finally arrives.</p> <p>If you are planning to have your baby in hospital, your bags should be packed ready by week 34, in case you go into labour early.</p>	<p>Your labour will most likely begin with contractions but for some labour may start with backache, a 'show' or with the waters breaking.</p> <p>If your waters break but you don't go into labour within 24 hours you will probably need to be seen by a doctor or midwife, as there is a risk of infection to the baby.</p>	<p>The earliest you can get your statutory maternity pay (SMP) is week 29 (11 weeks before your EWC). You will have to finish work to receive SMP.</p> <p>If you are off work after week 36 (4 weeks before your EWC) because of a pregnancy related reason (such as police maternity leave or a pregnancy related sickness) the Force can trigger your statutory maternity leave and pay (but not your police maternity leave and pay. This will start on the date you have previously notified).</p>

## What to Expect: The First 6 Weeks after the Birth

You and Your Baby	You and Your Health Care Needs	You and Your Work
<p>At first you will probably feel very tired after childbirth and with a small baby. Rest as much as you can.</p> <p>You must register the birth at your local registry office within 6 weeks.</p> <p>The registrar will give you a birth certificate and a form with the baby's NHS number on it. Fill in the form and take it to your GP surgery.</p> <p>You should claim child benefit as soon as baby is registered and you have the birth certificate. You can get a claim form from your local Job Centre Plus or post office or download one from <a href="http://www.hmrc.gov.uk/forms/ch2-online.pdf">www.hmrc.gov.uk/forms/ch2-online.pdf</a></p>	<p>Your community midwife will care for you and your baby for the first 10 days after the birth and will keep you on his or her books for the first 28 days if needed.</p> <p>Your health visitor will make his or her first visit some time after the baby is 10 days old.</p> <p>Breastmilk gives babies all the nutrients they need for the first six months of life, is easy for the baby to absorb and is perfect to help him or her grow and develop. It also helps protect babies from diseases and infection, including eczema, asthma and obesity in later life. Breastfeeding also helps protect the mother against ovarian cancer, breast cancer and osteoporosis.</p> <p>Your midwife or health visitor can help you establish breastfeeding.</p>	<p>You need to be aware that you could be recalled to duty at any time during your maternity leave if there is a pressing need such as you being required to give evidence at Court. This should not happen in the first 2 weeks after birth.</p> <p>You can take your maternity leave in more than one block, as long as you give the Force 21 days notice of your intentions.</p> <p>However, if you break your leave and return to unpaid leave, this would adversely affect the rate at which you can buy back that leave for pension purposes. You need to check that you are returning to a period of statutory maternity paid leave to ensure you can buy back any pension from any unpaid leave at the minimum rate.</p> <p>Your Federation office will be able to help you work out your entitlements in these circumstances.</p>

## What to Expect: Up to 52 Weeks after the Birth

You and Your Baby	You and Your Health Care Needs	You and Your Work
<p>Babies grow quickly in their first year and you will have your work cut out caring for your new family.</p> <p>However, you will need to think about arranging childcare before you go back to work. If you don't have family support, this can take time and it's best to start looking early to get the right childminder or nursery for you and your baby.</p>	<p>Your baby will usually see your health visitor at the child health clinic, although you can ask to see them at any time. If you're on your own or struggling, speak to your health visitor about other support available locally.</p> <p>First vaccination against Diphtheria, Pertussis (whooping cough) and Tetanus, known as the DPT injection, is usually given when your baby is 8 weeks old.</p> <p>Second DPT vaccination is due at 12 weeks. Third DPT vaccination is due at 16 weeks</p>	<p>You may return to work for up to 10 Keeping in Touch (KIT) days without bringing your maternity leave to an end. You will be paid your hourly rate for any work you undertake on a KIT day in addition to your SMP for that day.</p> <p>Keeping in Touch (KIT) days are voluntary and can be used for work related activities such as training, conferences and meetings. You could also use them if you are recalled to duty, but this is at your discretion. Remember, you only have ten KIT days.</p> <p>You must return to work at the end of your maternity leave period (15 months after it started, or 12 months after the date of birth whichever is the sooner).</p> <p>If you want to return to work sooner then you must give 21 days notice, in writing, of your return date.</p>

## RETURNING TO WORK

Your Force should complete a risk assessment for every new mother returning to work. This should form part of a Return to Work Plan that provides you with the appropriate support in the first weeks and months after you come back to work

### **Annual Leave**

Your Annual Leave entitlement will accrue during your maternity leave. Police officers can carry up to five days annual leave from one year to the next, or more in exceptional circumstances, subject to the Chief Officer's discretion.

You can take this annual leave before, during or after your maternity leave. If you take annual leave during your maternity leave it will not extend your maternity period and it could adversely affect your pay if you return to maternity leave.

### **Breast feeding**

Returning to work does not mean that you have to stop breastfeeding. If you are, you should provide the Force with written notification. The Force must then conduct a specific risk assessment to identify any risks associated with breastfeeding and the means of enabling you to do so during working hours. The Force may allow additional rest periods in order to attend to your baby outside the workplace, or may provide you with suitable private lockable facilities to express and store milk at work.

### **Reckonable Service**

Women police officers can reckon a period of up to 52 weeks for pay and leave purposes when on maternity leave.



## **Pensionable Service**

Any period of paid maternity leave (either Occupational Maternity Pay or Statutory Maternity Pay) counts towards pensionable service. You can buy-back a period of unpaid maternity leave at the rate of your last pay; this will usually be SMP at the lower rate.

## **Sickness Absence**

If you are not well enough to return to work at the end of your maternity leave then the Regulations relating to sickness absence will apply.

## **Police Federation and Member Services**

Police Federation subscriptions are not required to be paid whilst you are on unpaid maternity leave (even if you come in for a KIT day during that period of unpaid leave). Contributions to member services (life insurance, private health, friendly societies, PMAS, credit unions etc.) will usually continue whilst you are on paid maternity leave but you should check as this may depend on the terms of the scheme. You will need to make arrangements to maintain cover whilst on unpaid maternity leave. Contact your local Federation Office and/or Finance Department for further information.

## **Flexible Working**

If you want to return to work on reduced hours or work more flexible arrangements you can apply to do so. You should be aware that police officers have different arrangements to employees when applying for flexible or reduced hours working. You should seek advice from your Federation office



## FURTHER ADVICE

**Your Force Police Federation office will be able to help you if you have any queries about your or your partner's entitlements during your pregnancy, maternity leave and/or return to work.**

As every pregnancy and baby is different, you will want a lot more specific information on how to best enjoy both. The internet is full of useful advice ...

### **Tommy's**

A Charity giving babies the best chance of being born healthy

<http://www.tommys.org/>

### **Bounty**

Bounty work with leading manufacturers to provide expectant and new mothers with packs containing information, advice, support and try-before-you-buy samples. They have five free packs which are made available to new and expectant mothers.

<http://www.bounty.com/>

### **NHS**

Your NHS Guide to having a baby

<http://www.nhs.uk/planners/pregnancyplanner/Pages/PregnancyHome.aspx>

### **The National Childbirth Trust**

The UK's largest charity for parents; they campaign as the voice for parents on the issues they care about.

[www.nct.org.uk](http://www.nct.org.uk)

### **Working Families**

Helping working parents and carers achieve work-life balance

[www.workingfamilies.org.uk](http://www.workingfamilies.org.uk)

### **Daycare Trust**

A childcare charity

[www.daycaretrust.org.uk](http://www.daycaretrust.org.uk)

